

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

No. CR 04-0319 WHA

Plaintiff,

v.

**ORDER REQUESTING
RESPONSE FROM FEDERAL
PUBLIC DEFENDER**

SALVADOR SANDOVAL-OCHOA,

Defendant.

The views of the Federal Public Defender are requested on the pending application for appointment of counsel.

Defendant was originally sentenced by the undersigned judge for illegal entry. Defendant served time, was deported, and then re-entered the country. He was convicted of illegal entry once again, this time in Utah. Recently, he made a motion for appointment of counsel to the District Court of Utah. The Clerk of that court forwarded the request here because the original conviction occurred in this district.

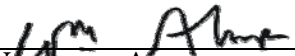
The tentative view of the undersigned judge is that counsel should not be appointed because defendant has already served his sentence pursuant to the conviction here. Out of caution, the Court would like the views of the Federal Public Defender on how to proceed.

To the extent that the Federal Public Defender wishes to see the pre-sentence report, the United States Probation Office is authorized to provide it.

1 A response from the Federal Public Defender is requested by **OCTOBER 13, 2016**. The
2 government may but is not required to respond.

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4 **IT IS SO ORDERED.**

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6 Dated: September 22, 2016.

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WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE